

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIRMET K. FAGLIER,

Defendant.

CASE NO. CR21-0196-JCC

ORDER

This matter comes before the Court on Defendant Kirmet Faglier's unopposed motion to continue trial and pretrial motions deadlines (Dkt. No. 19). Having thoroughly considered Mr. Faglier's motion and the relevant record, the Court hereby GRANTS the motion.

Trial in this matter is currently set for January 31, 2021. (Dkt. No. 14.) Mr. Faglier seeks a continuance, citing the nature of the case, the severity of the charges, and the need for additional time to investigate, review discovery, conduct research, and prepare for trial. (Dkt. No. 19 at 1–2.) Mr. Faglier indicates that the Government does not oppose his requested continuance. (*Id.* at 1.)

Based on the foregoing, the Court FINDS that the ends of justice served by granting the requested continuance outweigh the best interests of Mr. Faglier and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). This finding is based on the following:

1. A failure to grant a continuance in this case would likely result in a miscarriage of

1 justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

2 2. Taking into account the exercise of due diligence, a failure to grant a continuance
3 in this case would deny Mr. Faglier's counsel the reasonable time necessary for effective
4 preparation due to counsel's need for more time to review the evidence, consider possible
5 defenses, and gather evidence material to the defense, as set forth in § 3161(h)(7)(B)(iv); and

6 3. The additional time requested is a reasonable period of delay.

7 It is therefore ORDERED as follows:

8 1. Defendant's unopposed motion for a continuance (Dkt. No. 19) is GRANTED.

9 2. The current trial date is CONTINUED to July 25, 2022; pretrial motions will be
10 due June 27, 2022. Parties should consult the Court's Chambers Procedures posted on its website
11 for detailed instructions regarding pretrial submissions and trial procedure.

12 3. The time from the date of this order until the July 25, 2022 trial date is an
13 excludable period under 18 U.S.C. § 3161(h)(7)(A).

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15 DATED this 3rd day of January 2022.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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